

IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF TENNESSEE
AT GREENEVILLE

UNITED STATES OF AMERICA)	
)	
v.)	No. 2:05-CR-100
)	
RICHARD GLEN MILBURN)	

MEMORANDUM AND ORDER

This criminal case is before the court on the defendant's objections [docs. 353, 354, and 355] to two Reports and Recommendations and an Order filed by Magistrate Judge Inman on November 7, 2006. The government has not responded to the objections. A transcript of the motion hearing before the Magistrate Judge has been filed [doc.334], and the exhibits to the hearing have been provided to the court.

Under 28 U.S.C. § 636(b), a *de novo* review by the district court of a magistrate judge's report and recommendation is both statutorily and constitutionally required. See *United States v. Shami*, 754 F.2d 670, 672 (6th Cir. 1985). However, it is necessary only to review "those portions of the report or specified proposed findings or recommendations to which objection is made." 28 U.S.C. § 636(b); see also *United States v. Campbell*, 261 F.3d 628, 631-32 (6th Cir. 2001). Further, this court may reconsider non-dispositive orders if the defendant is able to show that the magistrate judge's order is "clearly erroneous or contrary to law." 28 U.S.C. § 636(b)(1)(A).

As to the two Reports and Recommendations [docs. 336 and 337], the defendant makes no specific objections, but merely asks the court for a *de novo* review of Magistrate Judge's findings of fact and conclusions of law. The court has reviewed the Reports and Recommendations, the pleadings, the transcript of the suppression hearing, and the hearing exhibits. In the absence of any objections to specific findings or conclusions, this court **ADOPTS** the Reports and Recommendations in their entirety. It is hereby **ORDERED** that the defendant's objections are **OVERRULED**, and the defendant's motions to suppress evidence [docs. 206 and 207] are **DENIED**.

Likewise, the defendant's objection to Magistrate Judge Inman's Order [doc. 335] requests that the court make a *de novo* review of the Order, a standard of review which does not apply to non-dispositive matters. Rather, the defendant must make a showing that the Order was clearly erroneous or contrary to law. In any event, the court has reviewed the Magistrate Judge's Order and agrees with his determinations. Therefore, it is hereby **ORDERED** that the defendant's objection to the Magistrate Judge's Order is **DENIED**.

ENTER:

s/ Leon Jordan
United States District Judge